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TO

Amend the Law relating to Coroners in Ireland.

A.D. 1896.

WHEREAS it is expedient to amend in certain respects the laws relating to coroners in Ireland :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1. From and after the *passing of this Act* the several parts of the Acts herein-after mentioned shall be and the same are hereby repealed ; that is to say, so much of an Act passed in the third and fourth years of the reign of Her present Majesty, intituled "An Act for the Regulation of Municipal Corporations in Ireland," as relates to the appointment of deputies to act for borough coroners ; and so much of an Act passed in the forty-fourth and forty-fifth years of the reign of Her present Majesty, intituled "An Act to amend the Laws relating to Coroners in Ireland," as relates to the payment of coroners and to the calling in and payment of an adjacent coroner to act instead of a coroner in certain cases, and to the payment of mileage which may have been made by the coroner in travelling to hold any inquest ; and section sixteen of the Act passed in the ninth and tenth years of the reign of Her present Majesty, intituled "An Act to amend the Laws relating to the Office of Coroner and the expenses of Inquests in Ireland."

2. From and after the *passing of this Act* every coroner may from time to time appoint, by writing under his hand, a fit person to be his deputy, being (a) a coroner ; (b) a person duly qualified to practice medicine or surgery, and registered as such under the Medical Act, 1858, or any Act amending the same ; or (c) a barrister-at-law ; or (d) a solicitor of the Supreme Court of Judicature in Ireland, or a justice of the peace ; and may at any time revoke such appointment.

(1.) A deputy shall not act for a coroner, except during the illness of such coroner, or during his absence from any lawful

[Bill 66.]

A.D. 1890.

or reasonable cause, or on any inquest which the coroner is by law himself disqualified from holding.

- (2.) For the purpose of an inquest or inquiry, or other act which a coroner is authorised to hold or do, the deputy coroner shall be deemed to be the coroner whose deputy he is, and have the same jurisdiction and powers, and be subject to the same obligations and liabilities, and generally to the provisions of the Acts relating to coroners in Ireland in like manner as the coroner.

- (3.) The salary of such deputy shall be paid by the coroner appointing him.

- (4.) A duplicate of every appointment of a deputy to a county coroner shall be sent to the clerk of the peace of the county, and in the case of a borough to the town clerk, to be kept amongst the records thereof.

Salary and
expenses of
coroner.

3.—(1.) On and after the *first day of November*, one thousand eight hundred and ninety-six, the grand jury of each county, county of a city, and a county of a town, and the council of any city, town, or borough to which a coroner is attached, shall pay to each coroner a fixed annual salary, and in fixing the said salary they shall ascertain the number of inquests held by each coroner for the *three years* prior to the *passing of this Act*, and the amount which he would be entitled to receive for such inquests, calculated at not less than *two pounds* sterling for each inquest; also the number of deaths reported to the coroner during said year, and in which he considered it unnecessary to hold an inquest, and a reasonable sum shall be fixed for investigating each such report where no inquest is held; also the extent of the coroner's district, and the probable future extension of said district, and the additional duties thereby to be imposed upon him; there shall also be taken into account the duties other than those pertaining to inquests or inquiries, cast upon the coroner by statute; also the expense of a clerk, where necessary and desirable, rent of office, supply of forms and stationery, telegrams, and postage, and any other special circumstances of each case.

(2.) In case any grand jury of any county, county of a city, and county of a town, or council of any city, town, or borough, after the *passing of this Act*, and any coroner for the same, shall be unable to agree as to the amount of such fixed salary to be paid to such coroner, it shall be lawful for the Lord Chief Justice, the chief coroner of Ireland, and he is required, upon application of any such grand jury or council, or any such coroner, to direct such application to be heard in chamber in the manner prescribed by him, so as to

determine the amount of such fixed salary, having regard to the circumstances aforesaid. A.D. 1896.

Provided always, that in no case shall the fixed annual salary be less than the average annual salary paid to the coroner for any of the three years prior to the said first day of November, one thousand eight hundred and ninety-six.

(3.) The fixed annual salary shall be paid to each coroner, so long as he shall continue in office, out of the county rates or borough fund, at such times and in such manner as prior to the passing of this Act.

Provided always, that whenever from removal any coroner shall not be entitled to his full salary, a proportionate part shall be paid to him, or, in case of his death, it shall be paid to his personal representative.

Provided that nothing herein contained shall in any manner take away, alter, or deprive any such coroner of the right to be repaid out of the county rates or borough fund all lawful expenses and disbursements which may have been made by him in the discharge of his duties. Every coroner shall be paid mileage for each mile travelled going to and returning from an inquest or inquiry at the rate of *sixpence* for each mile he may have travelled in order to hold such inquest or inquiry.

4. The council of a city, town, or borough, and the grand jury of any county, county of a city, or county of a town, and the coroner, may mutually agree upon a fixed salary to be paid to the coroner on and after the passing of this Act, without taking into account the foregoing circumstances, or any of them, and the said salary shall be paid to the coroner in such manner and at such times as shall be agreed upon. Mutual agreement as to salary.

Provided always that any successive coroner may appeal against such salary to the Lord Chief Justice in the manner herein-before provided in case of disagreement.

5. From and after the passing of this Act an annuity or annual sum may be paid to every coroner after he has become incapable, from ill-health or infirmity, or unable, from any lawful cause, to discharge the duties of this office, said annuity to be paid out of the county rates or borough fund in such manner as may be agreed upon, and the receipt of said annuitant for same shall be a sufficient voucher for the payment thereof. Provided always, that upon the death of said annuitant, his legal representative shall be entitled to a proportionate part of the current annuity. Annuity to coroner on retirement.

6. This Act shall apply to Ireland only.

7. This Act may be cited as the Coroners (Ireland) Amendment Act, 1896. Extent of Act.
Short title.

Coroners (Ireland).

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B I L L

To amend the Law relating to Coroners
in Ireland.

*(Prepared and brought in by
Dr. Kenny, Mr. Clancy, Colonel Waring,
Mr. T. M. Healy, Mr. William Johnston,
Sir Thomas Lea, Mr. Dane, Mr. M'Cartan,
Mr. Kilbride, and Mr. M'Donnell.)*

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[Bill 66.]